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9 IN THE UNITED STATES DISTRICT COURT  
10 FOR THE EASTERN DISTRICT OF CALIFORNIA

11 JAMES WHITTENBERG,

12 Plaintiff,

No. CIV S-04-2313 FCD JFM P

13 vs.

14 LT. L. ROLL,

15 Defendant.

ORDER

16 \_\_\_\_\_/

17 On March 29, 2005, the undersigned issued an order denying plaintiff's March 17,  
18 2005 request for appointment of counsel. On October 28, 2005, plaintiff filed a request for  
19 reconsideration of that order. Local Rule 72-303(b), states "rulings by Magistrate Judges shall be  
20 final if no reconsideration thereof is sought from the Court within ten court days . . . from the  
21 date of service of the ruling on the parties." E.D. Local Rule 72-303(b). Plaintiff's request for  
22 reconsideration of this court's order of March 29, 2005 is therefore untimely.

23 To the extent plaintiff is renewing his request for appointment of counsel, his  
24 request is also denied for the reasons set forth in this court's March 29, 2005 order.

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1                   Accordingly, IT IS HEREBY ORDERED that plaintiff's October 28, 2005 request  
2 for reconsideration is denied.

3 DATED: November 15, 2005.

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5   
6 UNITED STATES MAGISTRATE JUDGE

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